

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

WISTRON CORPORATION, a Taiwan  
corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., a  
Republic of Korea corporation;  
SAMSUNG ELECTRONICS AMERICA,  
INC., a New York corporation; and  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC, a Delaware limited  
liability company,

Defendants.

SAMSUNG ELECTRONICS CO., LTD., a  
Republic of Korea corporation;  
SAMSUNG ELECTRONICS AMERICA,  
INC., a New York corporation; and  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC a Delaware limited  
liability company,

Counterclaimants,

v.

WISTRON CORPORATION, a Taiwan  
corporation,

Counterclaim-defendant.

CASE No. C08-1373-MJP  
JURY DEMANDED

**STIPULATION AND ORDER FOR  
DISMISSAL WITHOUT PREJUDICE**

STIPULATION AND [PROPOSED] ORDER FOR  
DISMISSAL WITHOUT PREJUDICE;  
CASE NO. C08-1373-MJP - 1

DLA Piper LLP (US)  
701 Fifth Avenue, Suite 7000  
Seattle, WA 98104-7044/Tel. 206.839.4800

**I. STIPULATION**

Pursuant to Federal Rule of Civil Procedure Rule 41(a)(1) and (c), Plaintiff and Counterclaim-Defendant Wistron Corporation, by and through its counsel of record, and Defendants and Counterclaim-Plaintiffs Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC. (collectively, "Samsung"), by and through their counsel of record, agree and stipulate as follows:

1. All claims and counterclaims in this action brought by Wistron against Samsung or by Samsung against Wistron are hereby dismissed without prejudice; and

2. Each party is to bear its own costs and attorneys' fees in connection with these claims and counterclaims.

Dated: February 2, 2009

**K&L GATES LLP**

By: s/ Douglas Bruce Greenswag

Douglas B. Greenswag (WSBA #37506)

Cristofer I. Leffler (WSBA #35020)

925 Fourth Avenue, Suite 2900

Seattle, WA 98104-1158

Telephone: (206) 623-7580

Facsimile: (206) 623-7022

E-mail: douglas.greenswag@klgates.com

E-mail: cristofer.leffler@klgates.com

Howard Chen (*Admitted Pro Hac Vice*)

4 Embarcadero Center, Suite 1200

San Francisco, CA 94111-5994

Telephone: (415) 882-8200

Facsimile: (415) 882-8220

howard.chen@klgates.com

**ATTORNEYS FOR PLAINTIFF WISTRON CORPORATION**

1 Dated: February 2, 2009

**DLA PIPER LLP (US)**

2  
3 By: s/ Richard T. Mulloy

Richard T. Mulloy, CA Bar No. 199278

Robert Williams, CA Bar No. 246990

DLA PIPER LLP (US)

401 B Street, Suite 1700

San Diego, CA 92101-4297

Phone: 619-699-2700

6 Fax: 619-6990-2701

E-mail: [richard.mulloy@dlapiper.com](mailto:richard.mulloy@dlapiper.com)

[robert.williams@dlapiper.com](mailto:robert.williams@dlapiper.com)

8 Stelman Keehnel, WSBA No. 9309

DLA PIPER LLP (US)

701 Fifth Avenue, Suite 7000

Seattle, WA 98104-7044

10 Telephone: 206.839.4800

11 Fax: 206.839.4801

E-mail: [stellman.keehnel@dlapiper.com](mailto:stellman.keehnel@dlapiper.com)

12 Mark D. Fowler, CA Bar No. 124235

Elizabeth Day, CA Bar No. 177125

13 David L. Alberti, CA Bar No. 220625

Sal Lim, CA Bar No. 211836

DLA PIPER LLP (US)

2000 University Avenue

15 East Palo Alto, CA 94303-2215

Phone: 650.833.2000

16 Fax: 650.833.2001

17 **ATTORNEYS FOR DEFENDANTS**  
18 **SAMSUNG ELECTRONICS CO., LTD.,**  
19 **SAMSUNG ELECTRONICS AMERICA, INC.**  
**AND SAMSUNG TELECOMMUNICATIONS**  
**AMERICA, LLC**

